



PTO/SB/21 (04-04)

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

|                        |                  |
|------------------------|------------------|
| Application Number     | 10/809,821       |
| Filing Date            | March 24, 2004   |
| First Named Inventor   | Nakamura, Yusuke |
| Art Unit               | Not yet assigned |
| Examiner Name          | Not yet assigned |
| Attorney Docket Number | 082368-000700US  |

Total Number of Pages in This Submission

**ENCLOSURES** (Check all that apply)

|   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input checked="" type="checkbox"/> Response to Missing Parts/<br>Incomplete Application<br><br><input checked="" type="checkbox"/> Response to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication<br>to Technology Center (TC)<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please<br>identify below):<br>Return Postcard;<br>English Translation of Specification;<br>Verification of Translation; Executed<br>Declaration and Power of Attorney;<br>Communication Under 37 CFR 1.821-1.825<br>and Preliminary Amendment; Sequence<br>Listing (Paper copy and diskette); return copy<br>of Notice to File Missing Parts |
|---|--|---|

|         |  |
|---------|--|
| Remarks | The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430. |
|---------|--|

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|                               |   |                 |
|-------------------------------|---|-----------------|
| Firm<br>or<br>Individual name | Townsend and Townsend and Crew LLP<br>Kevin Bastian | Reg. No. 34,774 |
| Signature                     |   |                 |
| Date                          | 07/15/04  |                 |

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

|                       |                |      |          |
|-----------------------|----------------|------|----------|
| Typed or printed name | Aaron Hokamura |      |          |
| Signature             |                | Date | 07/15/04 |



# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 1116

## Complete if Known

|                      |                  |
|----------------------|------------------|
| Application Number   | 10/809,821       |
| Filing Date          | March 24, 2004   |
| First Named Inventor | Nakamura, Yusuke |
| Examiner Name        | Not yet assigned |
| Art Unit             | Not yet assigned |
| Attorney Docket No.  | 082368-000700US  |

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number

20-1430

Deposit  
Account  
Name

Townsend and Townsend and Crew LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Description        | Fee Paid |
|--------------|--------------|----------|----------|------------------------|----------|
|              |              | 1001     | 770      | Utility filing fee     | 770      |
|              |              | 1002     | 340      | Design filing fee      |          |
|              |              | 1003     | 530      | Plant filing fee       |          |
|              |              | 1004     | 770      | Reissue filing fee     |          |
|              |              | 1005     | 160      | Provisional filing fee |          |

SUBTOTAL (1)

(\$770)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

|                             | Extra Claims | Fee from below | Fee Paid |
|-----------------------------|--------------|----------------|----------|
| Total Claims 7 -20** =      | 0            | \$18           | \$0      |
| Independent Claims 4 -3** = | 1            | \$86           | \$86     |
| Multiple Dependent          |              |                |          |

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Description  |
|--------------|--------------|----------|----------|--|
|              |              | 1202     | 18       | Claims in excess of 20                                     |
|              |              | 1201     | 86       | Independent claims in excess of 3                          |
|              |              | 1203     | 290      | Multiple dependent claim, if not paid                      |
|              |              | 1204     | 86       | ** Reissue independent claims over original patent         |
|              |              | 1205     | 18       | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2)

(\$86)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Large    | Entity   | Small    | Entity   | Fee Description  | Fee Paid |
|----------|----------|----------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) |  |          |
| 1051     | 130      | 2051     | 65       | Surcharge - late filing fee or oath  | 130      |
| 1052     | 50       | 2052     | 25       | Surcharge - late provisional filing fee or cover sheet.                    |          |
| 1053     | 130      | 1053     | 130      | Non-English specification  | 130      |
| 1812     | 2,520    | 1812     | 2,520    | For filing a request for reexamination                                     |          |
| 1804     | 920*     | 1804     | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805     | 1,840*   | 1805     | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251     | 110      | 2251     | 55       | Extension for reply within first month                                     |          |
| 1252     | 420      | 2252     | 210      | Extension for reply within second month                                    |          |
| 1253     | 950      | 2253     | 475      | Extension for reply within third month                                     |          |
| 1254     | 1,480    | 2254     | 740      | Extension for reply within fourth month                                    |          |
| 1255     | 2,010    | 2255     | 1,005    | Extension for reply within fifth month                                     |          |
| 1401     | 330      | 2401     | 165      | Notice of Appeal   |          |
| 1402     | 330      | 2402     | 165      | Filing a brief in support of an appeal                                     |          |
| 1403     | 290      | 2403     | 145      | Request for oral hearing   |          |
| 1451     | 1,510    | 1451     | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452     | 110      | 2452     | 55       | Petition to revive - unavoidable   |          |
| 1453     | 1,330    | 2453     | 665      | Petition to revive - unintentional   |          |
| 1501     | 1,330    | 2501     | 665      | Utility issue fee (or reissue)   |          |
| 1502     | 480      | 2502     | 240      | Design issue fee   |          |
| 1503     | 640      | 2503     | 320      | Plant issue fee  |          |
| 1460     | 130      | 1460     | 130      | Petitions to the Commissioner  |          |
| 1807     | 50       | 1807     | 50       | Petitions related to provisional applications                              |          |
| 1806     | 180      | 1806     | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021     | 40       | 8021     | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809     | 770      | 2809     | 385      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810     | 770      | 2810     | 385      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801     | 770      | 2801     | 385      | Request for Continued Examination (RCE)                                    |          |
| 1802     | 900      | 1802     | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3)

(\$260)

## SUBMITTED BY

Complete (if applicable)

|                   |               |                                   |        |           |              |
|-------------------|---------------|-----------------------------------|--------|-----------|--------------|
| Name (Print/Type) | Kevin Bastian | Registration No. (Attorney/Agent) | 34,774 | Telephone | 415-576-0200 |
| Signature         |               |                                   |        | Date      |              |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/809,821         | 03/24/2004             | Yusuke Nakamura       | 082368-000700US        |

20350  
 TOWNSEND AND TOWNSEND AND CREW, LLP  
 TWO EMBARCADERO CENTER  
 EIGHTH FLOOR  
 SAN FRANCISCO, CA 94111-3834



CONFIRMATION NO. 8636

## FORMALITIES LETTER



\*OC000000012694820\*

Date Mailed: 05/18/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/20/2004 HLE333 00000065 201430 10809821

FILED UNDER 37 CFR 1.53(b)

01 FC:1001 770.00 DA  
 02 FC:1201 86.00 DA  
 03 FC:1051 130.00 DA  
 04 FC:1053 130.00 DA

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37

CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)**

**SUMMARY OF FEES DUE:**

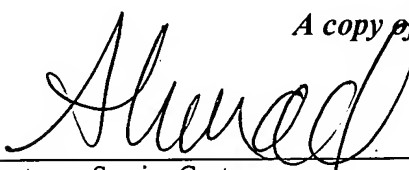
Total additional fee(s) required for this application is **\$1030** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- **\$130** for English translation surcharge required.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

---

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE